

# Mitigating the Psychological Effects of Victimization

1.1	Summary of Psychological Effects of Criminal Victimization.....	2
	A. General Psychological Effects of Victimization .....	3
	B. Post-Traumatic Stress Disorder .....	3
	C. Psychological Effects of Particular Types of Crimes .....	4
1.2	Helping to Mitigate the Psychological Effects of Victimization .....	7
	A. Enforce Victim's Rights Laws .....	8
	B. Inform Victims and Allow Them an Opportunity to Participate in Proceedings .....	9
	C. Recognize the Traumatic Effects of Court Proceedings .....	10
	D. Recognize the Broad Effects of Crime in Post-Conviction or Post-Adjudication Proceedings .....	10
1.3	Restorative Justice .....	11

## In this chapter. . .

This chapter contains a brief description of common psychological effects of criminal victimization, suggestions for participants in the criminal and juvenile justice systems to help mitigate those effects, and a brief description of “restorative justice” principles and practices. The chapter does not provide a complete discussion of the psychological impact of criminal victimization or “restorative justice” principles and practices. Instead, the purposes of this chapter are to provide a backdrop for the procedural requirements discussed in the rest of this manual and to encourage more dignified treatment of crime victims throughout the criminal and juvenile justice systems. The role of the “victim-witness assistant” is also noted throughout the chapter.

The following subjects are discussed in this chapter:

- F the short-term and long-term psychological effects of criminal victimization;
- F why psychological trauma from victimization may persist and negatively affect victim participation in court proceedings;
- F examples of insensitive treatment of crime victims by criminal and juvenile justice personnel (“secondary victimization”);
- F suggestions to mitigate the psychological trauma resulting from victimization; and
- F “restorative justice” principles and practices, which seek to increase victim participation in and satisfaction with justice system proceedings, improve offender competencies, and heighten public safety.

## 1.1 Summary of Psychological Effects of Criminal Victimization

Crime causes physical, financial, and psychological injuries, but often the most devastating effects are psychological. The psychological effects of victimization may profoundly influence a victim's participation in proceedings concerning the offense. In Kilpatrick & Otto, *Constitutionally guaranteed participation in criminal proceedings for victims: Potential effects on psychological functioning*, 34 Wayne L R 7, 13 (1987), the authors summarize general theories that explain why the psychological trauma of victimization may persist and affect victim participation in court proceedings.

- F People generally assume that their world is predictable, lawful, equitable, and safe, but after being victimized, these basic assumptions may be shattered, which produces feelings of vulnerability, anger, and a need to understand why they were victimized. Victims who are denied participation in court proceedings or who perceive that the proceedings failed to remedy the inequity wrought by the offense may suffer additional distress.

**Note:** "Victim-witness assistants" can assist the victim to help prevent this distress by encouraging the victim's participation in the court proceedings.

- F Many crime victims perceive the offense as personally threatening, which produces stress. The victim may then engage in activity intended to reduce the stress, known as "coping mechanisms." Coping mechanisms can range from healthy activities, such as jogging or socializing, to unhealthy activities, such as alcohol or tobacco consumption. If coping mechanisms are unavailable, or if the event was so stressful as to overwhelm the victim's coping mechanisms, the victim may develop a chronic stress disorder, including post-traumatic stress disorder.\* Participation in criminal proceedings itself may exacerbate the victim's stress.

**Note:** "Victim-witness assistants" can prepare victims for court appearances and explain court procedures to assist the prosecuting attorney.

- F Research has shown that when subjects are first exposed to unexpected, uncontrollable events, then later placed in situations where they can have some control over events, the subjects will react to the second situation with increased passivity. Criminal victimization is often unexpected and uncontrollable, and victims of crime often believe that their actions will have little impact on court proceedings. When this belief structure is reinforced by participants in the criminal or juvenile justice systems, victims may feel increased apathy and helplessness toward the court proceedings.

\*Post-traumatic stress disorder is described in Section 1.1(B), below.

- F A crime victim typically associates the fear and other negative emotions present during the offense with the circumstances surrounding the offense. When the victim later encounters the circumstances of the offense in memories, through presentation of evidence during court proceedings, or through confronting the defendant or juvenile, he or she may experience “conditioned responses” of fear and anxiety. Some crime victims may avoid contact with the justice system in order to avoid such responses.

Subsections 1.1(A)–(C) give brief descriptions of psychological effects commonly experienced by crime victims. Section 1.2 contains suggestions for participants in the criminal and juvenile justice systems to help mitigate those effects.

## A. General Psychological Effects of Victimization

The psychological impact of criminal victimization varies widely. The circumstances of the offense and the victim’s personal characteristics, support system, and psychological history may affect how the victim reacts to and recovers from criminal victimization. Resick, *Psychological effects of victimization: Implications for the criminal justice system*, 33 *Crime & Delinquency* 468, 473 (1987).

Initial reactions to victimization may include shock, disbelief, numbness, disorientation, anger, fear, terror, confusion, guilt, and self-blame. Albrecht, *The rights and needs of victims of crime: The judges’ perspective*, 34 *Judges’ J* 29, 30 (1995).

Long-term symptoms of victimization may include anxiety disorders, depression, drug and alcohol abuse, fear, flashbacks, lowered self-esteem, sexual dysfunction, physical complaints, suicidal ideation, suspiciousness, post-traumatic stress disorder, and a sense of social isolation. Wiebe, “The Mental Health Implications of Crime Victims’ Rights,” in Wexler & Winick, eds, *Law in a Therapeutic Key: Developments in Therapeutic Jurisprudence* (Durham, NC: Carolina Academic Press, 1996), p 215.

The symptoms of victims of violent offenses may persist for months or years. Norris, Kaniasty & Thompson, “The Psychological Consequences of Crime: Findings From a Longitudinal Population-Based Study,” in Davis, Lurigio & Skogan, eds, *Victims of Crime* (Thousand Oaks, CA: Sage, 2d ed, 1997), p 161. Although research suggests that victims of violent crimes are most severely distressed, victims of property offenses also show considerable psychological distress. *Id.*

## B. Post-Traumatic Stress Disorder

Victims of serious crimes against the person may suffer from “post-traumatic stress disorder” (“PTSD”). Post-traumatic stress disorder refers to a set of

psychological symptoms that develop following exposure to a very stressful event. The event must be outside the range of common experience and involve intense fear, terror, and helplessness. Typical events include serious threats to life or physical integrity, threats or harm to family members or friends, witnessing harm to others, sexual assault, and childhood sexual abuse. To meet the clinical definition of PTSD, symptoms must persist for at least one month. American Psychiatric Association, *Diagnostic and Statistical Manual*, (Washington, DC: Author, 3d ed, 1980), p 247.

The psychological symptoms that define PTSD are:

- F re-experiencing the traumatic event;
- F avoidance of stimuli associated with the traumatic event or numbing of general responsiveness; and
- F increased arousal. *Id.*

When exposed to reminders of the traumatic event, the person may suffer intense psychological distress. Moreover, the person may suffer “psychogenic amnesia” (loss of memory resulting from severe emotional distress) regarding important aspects of the event. *Id.* at 248.

## C. Psychological Effects of Particular Types of Crimes

Certain types of offenses, such as homicide, sexual assault, and hate or bias crimes, have more profound psychological consequences for their victims. In addition, certain classes of victims, such as victims of domestic violence offenses, children, and the elderly, may be more susceptible to psychological injury as a result of criminal victimization. Resick, *Psychological effects of victimization: Implications for the criminal justice system*, 33 Crime & Delinquency 468, 476 (1987).

**Note:** “Victim-witness assistants” are aware of different agencies that deal with specific types of victimization and are often able to refer victims to such agencies.

### 1. Reactions to the Homicide of a Family Member

The shock, feelings of loss, helplessness, fear, rage, and murderous impulses experienced by surviving family members of homicide victims are often more intense and prolonged than reactions of other trauma victims. National Victim Assistance Academy, *Academy Text* (Alexandria, VA: Author, 1998), ch 16, p 7. “Survivors experience a wide range of emotional responses[] that continually resurface, delaying and often preventing recovery. Many survivors report that there is no recovery for what they experience in the wake of homicide — they develop instead the ability to survive the waves of emotional pain.” *Id.* at 8.

## 2. The Effects of Sexual Assault

Acute reactions to sexual assault may last several months. Although studies have shown some stabilization in initial symptoms three months post-assault, victims may continue to experience fear and anxiety, depression, problems with social adjustment, problems with sexual functioning, low self-esteem, and disturbances of sleep, memory, and concentration for a year or more. Resick & Nishith, “Sexual Assault,” in Davis, Lurigio & Skogan, eds, *Victims of Crime* (Thousand Oaks, CA: Sage, 2d ed, 1997), p 31. The victim’s perception of the threat to her or his life posed by the assault has been shown to affect the severity and persistence of psychological trauma. *Id.* at 37.

Sexual abuse of children has profound immediate and long-term psychological effects. Myers, *Legal Issues in Child Abuse and Neglect Practice* (Thousand Oaks, CA: Sage, 2d ed, 1998), p 10.\* Immediate or short-term effects may include the following:

- F anxiety;
- F fear;
- F nightmares and sleep disturbances;
- F incorrigibility;
- F difficulty with schoolwork;
- F drug and alcohol abuse;
- F withdrawal;
- F regression;
- F poor self-concept;
- F depression;
- F developmentally inappropriate sexual behavior; and
- F physical complaints. *Id.* at 12–14.

## 3. Victims of Domestic Violence

Victims of domestic violence offenses are unique because of their relationship to the perpetrator of the offense. “Domestic violence” refers to a pattern of behavior by the perpetrator with the intent and result of establishing and maintaining control over the victim. The pattern of behavior may include both criminal and non-criminal acts. The perpetrator and victim may be past or present spouses, cohabitants, sexual intimates, or dating acquaintances. Domestic violence victims experience the same psychological symptoms as other trauma victims. Because the violence is ongoing in their lives, they also develop strategies to increase their chances of surviving the abuse. These may include such things as:

\*For a discussion of the admissibility of expert testimony on the effects of sexual assault on children, see Section 8.10(B).

- F minimizing or denying the violence (including recanting after criminal proceedings have been started) to avoid retaliation or to minimize emotional trauma;
- F taking responsibility for the violence;
- F drug or alcohol abuse; and
- F self-defense.

Children in homes where domestic violence is present also suffer from the adult abuse. For more detailed information, see Lovik, *Domestic Violence Benchbook: A Guide to Civil & Criminal Proceedings* (MJJ, 2d ed, 2001), ch 1.

#### 4. Elderly Victims

Elderly persons may be victims of any criminal offense. They may also be victims of crime based on their age or disability. See MCL 750.145m et seq.; MSA 28.342A(m) et seq. (vulnerable adult abuse). The effects of crimes committed against elderly persons include:

- F heightened fear of victimization and feelings of vulnerability due to physical or cognitive limitations and social isolation;
- F disproportionate physical impact; and
- F disproportionate economic impact. National Victim Assistance Academy, *Academy Text* (Alexandria, VA: Author, 1998), ch 18, pp 3–4, 10.

Elderly victims of domestic abuse suffer the same general effects as younger victims do, but increased vulnerability and isolation may exacerbate the effects of the abuse. *Id.* at 6.

**Note:** “Victim-witness assistants” may be required to make home visits to provide services to elderly victims.

#### 5. The Effects of Hate and Bias Crimes

Michigan’s “ethnic intimidation” statute, MCL 750.147b; MSA 28.344(2), prohibits certain conduct intended to intimidate or harass because of a person’s race, color, religion, gender, or national origin. Hate and bias crimes profoundly affect both the community in which the victim lives and the victim of the offense. Hate and bias crimes have a unique psychological impact on the victim because an aspect of the personal identity of the victim is targeted:

“For individuals, hate crimes involve double victimization. In addition to the harm caused by the underlying crime—physical injury or property damage, for example—the hatred expressed in conjunction with the crime attacks

what is often a central feature of the victim's identity. Victims of hate crimes cannot even draw on the limited comfort offered by the rationale that what happened to them could have happened to anyone, that they were simply unlucky to be in the wrong place at the wrong time." Garofalo, "Hate Crime Victimization in the United States," in Davis, Lurigio & Skogan, eds, *Victims of Crime* (Thousand Oaks, CA: Sage, 2d ed, 1997), p 135.

## 1.2 Helping to Mitigate the Psychological Effects of Victimization

While crime victims are contending with the primary financial, physical, and psychological effects of their victimization, they may also be faced with what has been termed "secondary victimization"—"insensitive treatment at the hands of the criminal justice system." Tomz & McGillis, *Serving Crime Victims and Witnesses*, (Washington, DC: National Institute of Justice, 2d ed, 1997), p 4. "Secondary victimization" includes the following examples of insensitive treatment of crime victims:

- F "insensitive questioning by police officers;
- F "police or prosecutor attitudes suggesting that the victim contributed to his or her own victimization;
- F "delays in return of property kept as evidence or failure to retrieve the property at all;\*
- F "fear of reprisal by the defendant;\*
- F "lack of information about the status and outcome of the case;\*
- F "frustration and inconvenience related to waiting for court appearances or appearing in court only to have the case continued or dismissed;\*
- F "difficulty finding transportation and child care and taking time off from work in order to come to court;
- F "lost wages due to time spent testifying in court; and
- F "anxiety about testifying in open court, including hostile questions from defense attorneys and threatening behavior by the defendant's family or friends." *Id.*\*

\*See Section 6.8.

\*See Chapter 4.

\*See Chapter 7.

\*See Section 8.4 (adjournments and continuances).

\*See Section 4.10 (suggested procedures when victim is threatened).

On the other hand, treating crime victims with dignity and respect and actively enforcing their rights may help speed recovery from the effects of victimization:

“Participation in the justice process is therapeutic when it helps victims to better understand what happened, allows them an opportunity to tell their story, and validates their loss and sense of being wronged. When victims are ignored, their feelings of trauma may be intensified and prolonged.” *New Directions from the Field: Victims’ Rights and Services for the 21st Century* (Washington, DC: United States Department of Justice, 1998), p 219.

\*See Sections 6.2–6.7 (consultation with prosecuting attorney) and Chapter 9 (victim impact statements and parole appeals).

Regardless of the outcome of the case, crime victims who perceive that they have been heard,\* taken seriously, and treated with respect are more likely to be satisfied with their contact with the justice system. Wiebe, “The Mental Health Implications of Crime Victims’ Rights,” in Wexler & Winick, eds, *Law in a Therapeutic Key: Developments in Therapeutic Jurisprudence* (Durham, NC: Carolina Academic Press, 1996), pp 223–24. Such full participation in criminal proceedings may also enhance a victim’s feelings of being in control, and a crime victim’s perception of control is important to his or her recovery. *Id.* at 226.

The following suggestions are intended to guide court personnel and others in treating victims fairly and with dignity, mitigating the psychological trauma of criminal victimization to the extent possible, and maximizing victim participation in court proceedings.

## A. Enforce Victim’s Rights Laws

Because crime victims and the community perceive the court as the administrator of the criminal and juvenile justice systems, courts should actively participate in efforts to enforce crime victim rights laws. Albrecht, *The rights and needs of victims of crime: The judges’ perspective*, 34 Judges’ J 29 (1995).

The Crime Victim’s Rights Act (“CVRA”), MCL 780.751 et seq.; MSA 28.1287(751) et seq., and Const 1963, art 1, § 24, give victims the right to participate in criminal and juvenile proceedings. Victims who participate in court proceedings concerning the offenses against them may have a greater sense of control over events and decreased feelings of helplessness. Conversely, victims who are ignored or whose rights are not fully enforced may suffer greater feelings of helplessness and anger towards the justice system.

\*For a detailed discussion of victims’ remedies for violations of the CVRA, see Sections 2.3–2.5.

Crime victims who are first informed that they have “rights” but later learn that there are few remedies when those rights are violated may feel further victimized.\* “Providing rights without remedies would result in the worst of consequences, such as feelings of helplessness, lack of control, and further victimization.” Kilpatrick & Otto, *Constitutionally guaranteed participation in criminal proceedings for victims: Potential effects on psychological functioning*, 34 Wayne L R 7, 27 (1987).



## B. Inform Victims and Allow Them an Opportunity to Participate in Proceedings

“[V]ictims of crime need accurate information regarding procedures and the likely timetable for the steps in the prosecution of cases.” Resick, *Psychological effects of victimization: Implications for the criminal justice system*, 33 Crime & Delinquency 468, 474 (1987).<sup>\*</sup> Victims should be told in advance about potentially traumatic procedures, such as continuances and depositions. *Id.* at 474–75.

**Note:** “Victim-witness assistants” inform families of the potential trauma of hearing “911” recordings, testimony by medical examiners, and similar evidence or testimony.

Families of homicide victims have a particularly strong interest in court proceedings: because they cannot hope to recover from their loss, they have a heightened interest in attending trial and seeing the guilty party punished. Continuances on or near the anniversary date of the offense or sequestration of family members during trial may be particularly damaging. Resick, *Psychological effects of victimization: Implications for the criminal justice system*, 33 Crime & Delinquency 468, 477 (1987).<sup>\*</sup>

**Note:** It is important for “victim-witness assistants” and prosecuting attorneys to be aware of anniversary dates of the offense. “Victim-witness assistants” may send a card as an acknowledgment of their concern for the family.

As much as possible, victims should be encouraged to participate in proceedings, including consultation prior to finalizing plea agreements. *Id.* at 475. Allowing victims to have their “voice” in the proceedings through their victim impact statements may also diminish the trauma of the offense and allow the judge to fashion a more appropriate sentence. Wiebe, “The Mental Health Implications of Crime Victims’ Rights,” in Wexler & Winick, eds, *Law in a Therapeutic Key: Developments in Therapeutic Jurisprudence* (Durham, NC: Carolina Academic Press, 1996), p 227.<sup>\*</sup>

**Note:** “Victim-witness assistants” will explain to the victim that although they may consult with the prosecuting attorney, they do not have authority to “veto” a plea agreement. For further discussion of this issue, see Section 6.6.

<sup>\*</sup>See Sections 7.6 (notice of procedures and victim rights) and 7.7 (notice of scheduled court proceedings).

<sup>\*</sup>See Sections 8.2 (sequestration of witnesses) and 8.4 (adjournments and continuances).

<sup>\*</sup>See Sections 6.2–6.6 (consultation with prosecutor prior to finalizing plea agreement) and Chapter 9 (victim impact statements and parole appeals).

\*Under the CVRA, courts must take steps to keep victims and offenders separated while waiting for hearings. See Section 4.8.

### C. Recognize the Traumatic Effects of Court Proceedings

The victim's participation in court proceedings may itself be stressful or traumatic. Participation in court proceedings may involve missing work, rearranging one's daily schedule, waiting for hearings in crowded hallways and courtrooms,\* and dealing with continuances or other delays. Victims may also lack information about how criminal and juvenile cases are handled. Kilpatrick & Otto, *Constitutionally guaranteed participation in criminal proceedings for victims: Potential effects on psychological functioning*, 34 Wayne L R 7, 20 (1987).

**Note:** "Victim-witness assistants" help to alleviate some of this stress by explaining anticipated procedures to the victim.

Testifying in court can be very traumatic for crime victims, especially children and victims of sexual assault. The fear may arise from the proximity of their alleged assailant, reactions to testimony and other evidence presented at trial, attacks on the victim's credibility, and a perception that the judge and jury may not believe the victim's testimony. Resick, *Psychological effects of victimization: Implications for the criminal justice system*, 33 Crime & Delinquency 468, 475 (1987). Facing an alleged abuser may be the most traumatic aspect of the legal process for children, especially when the alleged abuser is a family member or trusted friend. The child may experience shame, guilt, and betrayal, and the child may re-experience feelings of helplessness present during the abuse. Comment, *The Sixth Amendment: protecting defendants' rights at the expense of child victims*, 30 J Marshall L R 767, 777–79 (1997).

Victim participation in criminal or juvenile proceedings forces victims to encounter stimuli—such as looking at the defendant or preparing to testify—that remind the victim of the circumstances of the crime and thereby produce psychological trauma. Wiebe, "The Mental Health Implications of Crime Victims' Rights," in Wexler & Winick, eds, *Law in a Therapeutic Key: Developments in Therapeutic Jurisprudence* (Durham, NC: Carolina Academic Press, 1996), p 216.

The traumatic effect of the trial may be heightened for the victim when the defendant has chosen to represent himself or herself rather than be represented by an attorney. In these cases, the encounter with the defendant will be direct: for example, the defendant may cross-examine the victim directly rather than through counsel.\*

\*For a detailed discussion of this issue, see Section 8.7.

### D. Recognize the Broad Effects of Crime During Post-Conviction or Post-Adjudication Proceedings

The effects of criminal victimization may be broad and long-standing. For example, in homicide cases, divorce is frequent because of stresses placed on family life. Although they may not be relevant to the prosecution of the case, such effects may be considered during sentencing, parole, and probation

review hearings. Resick, *Psychological effects of victimization: Implications for the criminal justice system*, 33 Crime & Delinquency 468, 475–76 (1987).

**Note:** “Victim-witness assistants” act as a source of referrals for therapists and support groups for victims. The need for these services may arise before or after sentencing or disposition.

Crime victims may suffer severe economic consequences due to damage to property, medical expenses, and lost wages. Orders of restitution for these expenses should be vigorously enforced.\*

\*Chapter 10 contains a detailed discussion of restitution.

### 1.3 Restorative Justice

The law views a criminal act primarily as an offense against the state and secondarily as an offense against the victim. Restorative justice principles and practices are summarized here because they represent means by which the harm done to the victim may be more clearly recognized and the victim’s role in criminal and juvenile proceedings may be enhanced. The following general description of restorative justice principles is quoted from National Victim Assistance Academy, *Academy Text* (Alexandria, VA: Author, 1998), ch 21, §5, pp 1–3 (citations omitted).

“Restorative justice represents a paradigm shift in the way justice is dispensed in America’s criminal and juvenile justice systems. The framework for restorative justice involves the offender, the victim, and the entire community in efforts to create a balanced approach that is offender directed and, at the same time, victim-centered.

....

“Traditionally, America’s systems of criminal and juvenile justice have focused on crimes committed against the state, on retribution, and on punishment of the offender. In the United States, victims’ involvement in the criminal justice system has emanated from their roles primarily as witnesses, rather than as active, welcome participants. While this has changed with the advent of increasing victims’ rights and programs, the justice system still tends to be more ‘offender directed,’ rather than ‘victim centered.’

“This traditional approach has been challenged by the new paradigm of a more balanced vision. Restorative justice, the guiding philosophical framework for this vision, promotes maximum involvement of the victim, the offender, and the community in the justice process, and presents a clear alternative to sanctions and intervention based on retributive or traditional treatment assumptions.

“The framework of restorative justice has been primarily focused on juvenile justice. However, its positive implications for the criminal justice system as well cannot be overlooked.

“The framework of restorative justice can be best described as a combined emphasis on three programming priorities:

- F “Accountability: Restitution, community service, and victim/offender mediation create an awareness in offenders of the harmful consequences of their actions for victims, require offenders to take action to make amends to victims and the community and, whenever possible, involve victims directly in the justice process.
- F “Community Protection: Intermediate, community-based surveillance and sanctioning systems channel the offender’s time and energy into productive activities. A continuum of surveillance and sanctions provides a progression of consequences for noncompliance with supervision requirements and incentives that reinforce the offender’s progress in meeting competency development and accountability objectives.
- F “Competency Development: Work experience, active learning, and service provide opportunities for offenders to develop skills, interact positively with conventional adults, earn money, and demonstrate publicly that they are capable of productive, competent behavior.

#### **“The Victim’s Role in Restorative Justice**

“While restorative justice offers a framework of a balanced approach, its practical application to victims must be defined in actions that equate to rights and services. These include, but are not limited to:

- F “Fair treatment of victims, which must be sensitive, inclusive and respectful of their rights and needs. It must be recognized that the restorative justice model does not apply to all victims, some of whom demand punishment as a driving force in their personal reconstruction following a crime.
- F “Victim participation in restorative justice must be totally voluntary, particularly in attempts to implement victim/offender mediation or conciliation programs. Any attempts to coerce victims into participating in such programs work against the basic principles of restorative justice that focus on restoring the victim, as well as the offender and community.
- F “Victim notification\* of all key aspects of the criminal and juvenile justice systems — including arrest, bail or bond, preliminary and court hearings, disposition, convicted offenders’ status following sentencing, and potential release from incarceration — is an integral ‘victim-centered’ component of restorative justice.
- F “Victim impact statements\* — accepted by the criminal and juvenile justice systems in written, audio, video, and allocution forms, as well as in forms that are commensurate with the age and cognitive development of child victims — provide victims with the opportunity

\*See Chapter 7.

\*See Chapter 9.

to tell the court(s) and offender(s) about how the crime affected them and their loved ones.

- F “Victim impact panels — in which crime victims address an audience of offenders regarding how specific criminal actions affect victims emotionally, physically and financially — serve two purposes: First, they provide offenders with an in-depth understanding of the pain and suffering they cause — both short-term and long-term — as a result of their criminal actions, and; second, they provide victims with the opportunity to possibly deter future criminal behavior and enhance public safety by making convicted offenders examine their behaviors and the devastating effects they wreak on innocent victims of crime.
- F “‘Impact of Crime on Victims’ programs, pioneered by the California Youth Authority and replicated since then in 16 states, offer a 40-hour educational curriculum to adult and juvenile offenders in jail, prison, diversion, probation and parole settings. In a structured environment, students learn about the impact of crime on victims, on the offenders’ families, on their communities, and on themselves. Crime victims and advocates serve as guest speakers, offering poignant stories that personalize crime and its traumatic effects on individuals.
- F “Restitution\* is a key component of restorative justice. Victims often endure substantial financial losses resulting from crime. Far too often, offenders believe that ‘insurance will cover it’ or, even worse, fail to consider the financial consequences to victims at all. Direct restitution payments to victims that are not only ordered, but monitored, and many times collected and disbursed, remind the offender of his or her direct accountability to an individual to whom they have caused loss and harm. For victims, restitution payments send a message that the criminal or juvenile justice system is willing to demand and enforce accountability.
- F “Fines that support law enforcement, victim compensation, and criminal justice services serve to promote the basic concept of public safety, as well as offender accountability to make reparations for his or her crimes, are critical.\*
- F “Community service provides convicted offenders with the opportunity to make amends with the larger entities affected by their crimes: Their neighborhood, their community, and society as a whole. Community service should be meaningful to the offender, as well as helpful to the community. For example, an attorney convicted of a white-collar crime can provide 500 hours of free legal services to battered women. Juveniles convicted of graffiti “tagging” can support neighborhood renewal efforts for elderly persons whose homes require minor repairs. It is also helpful if crime victims have input into the terms and conditions of community service sanctions, providing them with a level of involvement and input that is, in most jurisdictions, unprecedented.”

\*See Chapter 10.

\*See Sections 2.7–2.9.

\*See Sections 10.15–10.16.

